

Remarks

This is in reply to the official action of January 28, 2007.

A request for a one month extension of time is requested and a check for the \$65.00 fee is enclosed.

The Examiner again points out that claims do not positively recite "bags". The observation is correct. None of the claims positively recite "bags" but claim a folding rack suitable for holding bags. "Bags" are not a part of the claims per se.

Claim 13 has been rewritten as claim 27. All limitations in new claim 27 are set forth in the description of Figures 1a through 2e and/or in the drawings themselves.

Claims 13-26 have been rejected under 35 U.S.C. 103 as being unpatentable over U.S. Patent 5,560,502 to Hsiung.

This rejection is improper and should be withdrawn.

Hsiung teaches a closet rack. It is clear that this rack is unstable without further support. For example, attachment to a back wall of a closet is suggested. See items 55 in Figure 1 of Hsiung. Further additional braces 12 are required and horizontal reinforcement bars 7 are needed by Hsiung. Additionally and importantly, Hsiung does not disclose or suggest a rigid base part as required by the present invention but rather teaches away from such a structure by having a base that can be disassembled by separating connector B and folding connector A, thus having an unstable structure. Hsiung requires upper and lower connectors to assemble and disassemble the structure as opposed to only upper connectors in accordance with the present invention. Hsiung thus again teaches away from the present stable foldable rack structure.

U.S. Patent 5,560,502 to Hsiung which shows a collapsible closet frame is simply not designed and suited for receiving transport bags.

As previously discussed, the bottom member of the frame disclosed by Hsiung is in itself a foldable frame portion.

In contrast, the present invention defines a collapsible frame having a rigid, unfoldable bottom member. This may on the one hand be seen from the figures and is on the other hand described on page 1 in the prior art discussion referring to DE 41 38 507 describing a rigid lower

frame part and a rigid upper frame part. Further, the drawings clearly show a unitary rigid base member.

Members A as described by Hsiung and, as for example can be seen from Figure 11, is clearly a hinge member which means that the upper strut 113 can not be separated and the side frames or side parts can thus not be tilted or folded downward parallel to the bottom member as required by the presently claimed invention.

Further, the present invention requires four corner posts as a part of the base member. Again Hsiung teaches away from such a structure by having a multiple piece connector further increasing instability.

In view of the foregoing amendments and remarks, it is clear that all rejections should be withdrawn and all claims should be allowed, which action is courteously requested.

Respectfully submitted,



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Dated: June 26, 2009